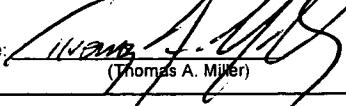




hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 16, 2006

Signature: 

(Thomas A. Miller)

Docket No.: 28944/50019  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Timothee Pol Jean Toury, et al.

Application No.: 10/568,250

Confirmation No.: To be Assigned

Filed: February 14, 2006

Art Unit: To be Assigned

For: Device and Method for the Non-Invasive  
Detection and Measurement of the Properties  
of a Medium

Examiner: To be Assigned

### INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed within three months of the U.S. filing date (37 CFR 1.97(b)(1)).

Copies of the Foreign Patents and Non Patent Literature Document listed on the PTO/SB/08 Form are enclosed.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /MAL/

Application No.: 10/568,250

Docket No.: 28944/50019

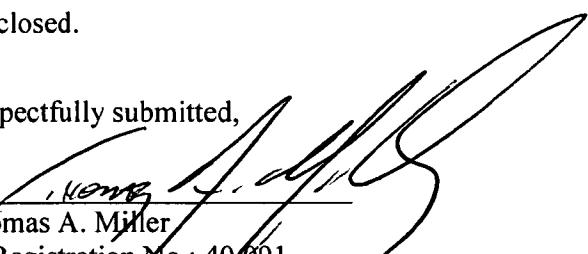
admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-3629, under Order No. 28944/50019. A duplicate copy of this paper is enclosed.

Dated: May 16, 2006

Respectfully submitted,

By   
Thomas A. Miller

Registration No.: 40,091  
MILLER, MATTHIAS & HULL  
One North Franklin Street  
Suite 2350  
Chicago, Illinois 60606  
(312) 977-9902  
Attorney for Applicant



PTO/SB/08a/b (08-03)  
 Approved for use through 07/31/2006. OMB 0651-0031  
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO				Complete if Known	
				Application Number	10/568,250
				Filing Date	February 14, 2006
				First Named Inventor	Timothee Pol Jean Tourny, et al.
				Art Unit	To be Assigned
				Examiner Name	To be Assigned
Sheet	1	of	2	Attorney Docket Number	28944/50019

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		5,394,098	02-28-1995	Meyrueix et al.	
		2002/0003628-A1	01-10-2002	James et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
		EP 0 864 872-A2	09-16-1998	Schlumberger Technologies, Inc.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
		D. Leiner, et al., "Real-time" phase microscopy using a phase-lock interferometer", RE. SCI. INSTRUM, XP002315966, pages 1702-1705, December 1, 1978.			
		International Search Report PCT/FR2004/002157; report dated February 28, 2005.			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	/Michael A. Lyons/	Date Considered	02/26/2009
--------------------	--------------------	-----------------	------------

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /MAL/



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/92 (09-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Application No.: 10/568,250

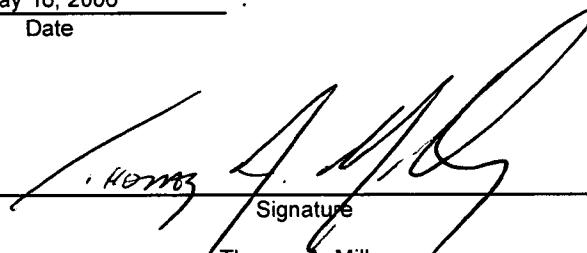
Attorney Docket No.: 28944/50019

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on May 16, 2006  
Date

  
Signature

Thomas A. Miller

Typed or printed name of person signing Certificate

40,091  
Registration Number, if applicable

(312) 977-9902  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

IDS (Citation) by Applicant (5 References) (1 page)  
Information Disclosure Statement